

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of  
Implementation of Section 309(j) and  
337 of the Communications Act of  
1934, as amended

Docket WT 99-87

**Comments of the Region 24 800 MHz Regional Planning Committee**

The Region 24 800 MHz Regional Planning Committee hereby submits the following comments filed in response to the Commission's *Public Notice*, DA 11-1784 (October 26, 2011) regarding a Request for Waiver petition filed by St Louis, St Charles, and Jefferson Counties in Missouri and the East West Gateway Council of Governments for an extension of the Commission's VHF-UHF narrowbanding deadline, 47 CFR 90.209 (b), which requires private land mobile radio licensees in the 150-174 MHz and 450-512 MHz bands to operate using channel bandwidth of no more than 12.5 KHz or equivalent efficiency by January 1, 2013.

The Region 24 (Missouri) 800 MHz Regional Planning Committee is a committee made up of public safety volunteers charged with the management of public safety spectrum in the region (State of Missouri) between 806-809/851-854 MHz National Public Safety Planning Advisory Council (NPSPAC). The Committee has worked with the St Louis area waiver applicants by modifying the Region 24 800 MHz plan to improve availability of channel allotments in each of

the waiver applicant counties to ensure spectrum would be available for the 800 MHz systems proposed for implementation and works with the region's adjacent states ensuring system implementation is efficient and effective. Region 24 supports the build-out of 800 MHz spectrum in St Louis, St Charles and Jefferson Counties and the waiver request to allow for time to implement such systems. We have previously filed comments in support of the requests for waiver from the Missouri Counties of St Louis, St Charles and Jefferson.

While Region 24 800 MHz Regional Planning Committee supports the implementation of 800 MHz systems in these counties and the extension of the narrowband deadline for specific frequencies and authorizations due to the need for additional time beyond the existing deadline to implement each county's 800 MHz solution, we have concerns on two important issues related to the 800 MHz application process in each county:

After reviewing the Region 24 800 MHz plan in the 800 MHz application submission process, the applicants indicated they would, during the application submission process, provide the Region 24 800 MHz Regional Planning Committee a list of existing channels and licenses existing in each county below 512 MHz that each county would relinquish from their existing authorizations altogether when construction of their 800 MHz systems are completed and operational no later than *December 31, 2013*, assuming they were granted the waiver by the Commission. This "give back" list would also contain those channels each county would retain and narrowband by *December 31, 2012* for continued, critical non-800 MHz operations (paging, SCADA, etc) in each county after construction of the 800 MHz countywide systems are completed. To date, the list of public safety channels from existing licensees in each county in the 150-174 MHz and 450-470 MHz bands from the waiver applicant counties to be retained and relinquished by waiver applicants back to the public safety frequency pool has yet to be provided to the Region 24 800 MHz Regional Planning Committee.

Secondly, the overwhelming majority of the 150-174 MHz and 450-470 MHz licensees in the waiver counties are not the same agencies as the waiver applicants. Each county contains a number of municipalities that are planning on migrating onto the 800 MHz system proposed for each county who today utilize spectrum under their own FCC authorizations. The return of existing spectrum in each county is an important element in ensuring non-800 MHz co-channel and adjacent channel licensees within and outside of the waiver applicant counties have access to

needed spectrum after the countywide 800 MHz systems are implemented and operational. Collectively, the Missouri Counties of St Louis, St Charles and Jefferson consist of dozens of municipal police, fire, EMS and Local Government FCC licensees. While the waiver applicants are the responsible authority for the implementation of the 800 MHz countywide systems in each county, those entities are not the licensees of the majority of the VHF and UHF spectrum currently licensed in each county and do not have the authority to delete or “give back” to the public safety pool any authorizations of which they are not the licensee.

In the Commission’s Public Notice on July 13, 2011 reminding licensees of the Commission’s January 1, 2013 narrowband deadlines and providing licensees guidance for narrowband waiver submissions, they included language outlining that if licensee’s waiver requests include migrating to a non-VHF UHF radio systems (ex 700/800 MHz), they need to indicate whether they would be relinquishing VHF UHF channels and the manner and schedule in which they plan on doing so. The Region 24 800 MHz regional planning committee looks forward to working with the waiver applicants to identify a mechanism in which they can return frequencies from those agencies and licensees within each county the waiver applicants are building each countywide 800 MHz system for.

Again, Region 24 supports the waiver applications from the Missouri Counties of St Charles, St Louis and Jefferson in their request for a 12 month extension of the Commission’s narrowbanding deadline of January 1, 2013. We pledge to work with those counties and agencies within each county on migrating from their existing systems to 800 MHz spectrum use in their proposed countywide systems and we support those counties in their migration to 800 MHz.

Stephen T. Devine, Chair

Region 24 800 MHz Regional Planning Committee

November 9, 2011

